

House File 455 - Introduced

HOUSE FILE 455

BY ISENHART and JAMES

A BILL FOR

1 An Act relating to human trafficking prevention training, by
2 providing for certification of lodging providers who have
3 voluntarily completed training and prohibiting the use of
4 public funds to procure lodging, facilities, or services
5 from noncertified lodging providers.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 8A.520 Public funds — certified
2 lodging providers.

3 1. As used in this section, unless the context otherwise
4 requires:

5 a. "*Lodging*" means the same as defined in section 423A.2.

6 b. "*Lodging provider*" means the same as defined in section
7 423A.2.

8 c. "*Public employee*" means any individual employed by a
9 public employer.

10 d. "*Public employer*" means the same as defined in section
11 20.3.

12 e. "*Public funds*" means the same as defined in section
13 12C.1.

14 2. If a lodging provider is not certified as having
15 completed human trafficking prevention training pursuant to
16 section 80.45A, a public employer or a public employee shall
17 not use public funds for any of the following purposes:

18 a. To procure lodging that is owned, operated, or owned and
19 operated by the lodging provider.

20 b. To procure space or services for a conference, meeting,
21 or banquet located at a site where lodging is available that
22 is owned, operated, or owned and operated, by the lodging
23 provider.

24 c. To host a conference, meeting, or banquet at a site where
25 lodging is available that is owned, operated, or owned and
26 operated, by the lodging provider.

27 3. Prior to expending or committing public funds for a
28 purpose described in subsection 2, a public employer or a
29 public employee shall confirm a lodging provider's current
30 certification status on the internet site maintained by
31 the department of public safety pursuant to section 80.45A,
32 subsection 3.

33 4. An exception to subsection 2 may be granted by the
34 administrative head or governing body in charge of the public
35 employer.

1 5. This section applies to all public funds expended for a
2 purpose described in subsection 2 on or after January 1, 2022.

3 Sec. 2. Section 80.45, subsection 3, Code 2019, is amended
4 by adding the following new paragraph:

5 NEW PARAGRAPH. *0g.* (1) Consult with other governmental
6 agencies and nongovernmental or community organizations that
7 have expertise in the areas of human trafficking prevention,
8 victim protection and assistance, law enforcement, and
9 prosecution, and with an Iowa organization that represents
10 lodging providers, to develop and facilitate the delivery of
11 human trafficking prevention training for lodging providers
12 pursuant to section 80.45A. The training shall focus on
13 the accurate and prompt identification and reporting of,
14 or response to, suspected human trafficking. The human
15 trafficking prevention training shall include, at a minimum,
16 all of the following:

- 17 (a) A general overview of human trafficking.
18 (b) A general overview of state law on human trafficking.
19 (c) How to recognize potential human trafficking victims.
20 (d) How to recognize potential human traffickers.
21 (e) How to identify activities commonly associated with
22 human trafficking.
23 (f) Safe and effective responses to human trafficking
24 situations, including but not limited to how to report
25 suspected human trafficking to proper law enforcement
26 officials.

27 (2) In lieu of developing human trafficking prevention
28 training, the office may utilize human trafficking prevention
29 training developed by other sources that meets all of the
30 criteria in subparagraph (1), subparagraph divisions (a)
31 through (f), and has been approved by the commissioner.

32 Sec. 3. NEW SECTION. **80.45A Human trafficking prevention**
33 **training — lodging providers.**

34 1. As used in this section, unless the context otherwise
35 requires:

1 *a. "Commissioner"* means the commissioner of the department
2 of public safety or the commissioner's designee.

3 *b. "Human trafficking"* means the same as defined in section
4 710A.1.

5 *c. "Lodging"* means the same as defined in section 423A.2.

6 *d. "Lodging provider"* means the same as defined in section
7 423A.2.

8 2. No later than December 31, 2021, the commissioner shall
9 approve a program or programs for human trafficking prevention
10 training and specify the approved mode or modes of delivery of
11 the training to lodging providers pursuant to section 80.45,
12 subsection 3, paragraph *"i"*.

13 3. No later than December 31, 2021, the commissioner shall
14 develop and maintain both of the following to certify a lodging
15 provider's voluntary completion of human trafficking prevention
16 training:

17 *a.* A certification issued by the commissioner that a lodging
18 provider may display, in an area readily visible to the public,
19 in the following areas of all lodging owned, operated, or owned
20 and operated, by the lodging provider:

21 (1) The front entrance of the lodging.

22 (2) The check-in area of the lodging.

23 (3) Any internet site advertising or promoting the lodging.

24 *b.* An internet site, readily accessible to the public, that
25 identifies lodging providers in this state that are certified
26 as having completed human trafficking prevention training.

27 4. Beginning January 1, 2022, a lodging provider may
28 voluntarily complete and certify to the commissioner that each
29 of the lodging provider's employees, including all owners,
30 operators, and managers, have completed human trafficking
31 prevention training.

32 5. A lodging provider's employee, including an owner,
33 operator, or manager, who acts in good faith shall be immune
34 from civil liability for reporting suspected human trafficking
35 activities to any law enforcement official.

1 6. The commissioner shall adopt rules pursuant to chapter
2 17A as are necessary to implement and administer this chapter.

3 EXPLANATION

4 The inclusion of this explanation does not constitute agreement with
5 the explanation's substance by the members of the general assembly.

6 This bill relates to human trafficking prevention training,
7 the certification of lodging providers who have completed
8 training, and to the use of public funds to procure lodging,
9 facilities, or services only from certified lodging providers.

10 The bill requires the office to combat human trafficking
11 (office) to consult with other governmental agencies and
12 nongovernmental or community organizations that have expertise
13 in the areas of human trafficking, law enforcement, and
14 prosecution, and with an Iowa organization that represents
15 lodging providers, to develop and facilitate the delivery of
16 human trafficking prevention training for lodging providers. A
17 "lodging provider" is defined in the bill as meaning the same
18 as defined in Code section 423A.2. The training shall focus
19 on the accurate and prompt identification and reporting of, or
20 response to, suspected human trafficking and is required to
21 contain specific topics as detailed in the bill. In lieu of
22 developing human trafficking prevention training, the office
23 may utilize human trafficking prevention training developed by
24 other sources that contain all of the topics as specified in
25 the bill and as approved by the commissioner.

26 By no later than December 31, 2021, the bill requires the
27 commissioner of public safety to approve a human trafficking
28 prevention training program or programs that are developed for
29 lodging providers and to specify the mode or modes of delivery
30 of the training. The commissioner is also required to develop
31 and maintain a process to show voluntary completion of the
32 training by lodging providers. The process must include a
33 certification that a lodging provider may display at the front
34 entrance and check-in area of all lodging owned, operated, or
35 owned and operated, by a lodging provider, and on any internet

1 site advertising or promoting the lodging. The commissioner
2 is also required to create and maintain a publicly accessible
3 internet site that identifies lodging providers that have
4 completed the training.

5 Beginning January 1, 2022, a lodging provider may
6 voluntarily complete and certify to the commissioner that each
7 of the lodging provider's employees, including all owners,
8 operators, and managers, have completed the human trafficking
9 prevention training. A lodging provider's employee, including
10 an owner, operator, or manager, who acts in good faith shall
11 be immune from civil liability for reporting suspected human
12 trafficking activities to any law enforcement official.

13 The commissioner shall adopt rules as are necessary to
14 implement and administer the requirements of the human
15 trafficking prevention training for lodging providers.

16 Effective on or after January 1, 2022, a public employee
17 and a public employer are prohibited from using public funds
18 to procure lodging at a site owned, operated, or owned and
19 operated by a lodging provider that is not certified as having
20 completed human trafficking prevention training. In addition,
21 a public employee or a public employer is prohibited from using
22 public funds to procure space for services for a conference,
23 meeting, or banquet, or to host a conference, meeting, or
24 banquet, at a site that offers lodging that is owned, operated,
25 or owned and operated, by a lodging provider that is not
26 certified as having completed human trafficking prevention
27 training. An exception may be granted by the administrative
28 head or governing body in charge of the public employer. Prior
29 to expending or committing public funds for lodging, space, or
30 services, a public employer or a public employee shall confirm
31 a lodging provider's current certification status on the
32 internet site maintained by the department of public safety.

33 The bill defines a "public employee" as any individual
34 employed by a public employer and a "public employer" as the
35 state of Iowa, its boards, commissions, agencies, departments,

1 and its political subdivisions including school districts and
2 other special purpose districts. "Public funds" is defined in
3 the bill as meaning the same as defined in Code section 12C.1.